

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ENZO BIOCHEM, INC., *et al.*,

Plaintiffs,

-v-

AMERSHAM PLC, *et al.*,

Defendants.

ENZO BIOCHEM, INC., *et al.*,

Plaintiffs,

-v-

MOLECULAR PROBES, INC., *et al.*,

Defendants.

ENZO BIOCHEM, INC., *et al.*,

Plaintiffs,

-v-

PERKINELMER, INC., *et al.*,

Defendants.

ENZO BIOCHEM, INC., *et al.*,

Plaintiffs,

-v-

ORCHID BIOSCIENCES, INC.,

Defendant.

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DOC #: _____
DATE FILED: <u>1-30-13</u>

No. 02 Civ. 8448 (RJS)

ORDER

No. 03 Civ. 3816 (RJS)

ORDER

No. 03 Civ. 3817 (RJS)

ORDER

No. 03 Civ. 3819 (RJS)

ORDER

AFFYMETRIX, INC..

Plaintiff,

-v-

ENZO BIOCHEM, INC., *et al.*,

Defendants.

ENZO LIFE SCIENCES, INC.,

Plaintiff,

-v-

AFFYMETRIX, INC.,

Defendant.

ROCHE DIAGNOSTICS GMBH,

Plaintiff,

-v-

ENZO BIOCHEM, INC., *et al.*,

Defendants.

No. 03 Civ. 8907 (RJS)
ORDER

No. 04 Civ. 1555 (RJS)
ORDER

No. 04 Civ. 4046 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

As stated on the record during the conference held on January 29, 2013, IT IS HEREBY ORDERED THAT the parties shall abide by the following schedule:

- February 8, 2013: Plaintiff Enzo shall serve Defendants with written discovery requests, including document production requests and written interrogatories, limited to the non-patent claims raised in Defendants' motions for summary judgment;
- March 1, 2013: Defendants shall provide documents and answers to interrogatories;
- March 8, 2013: Plaintiff shall serve deposition notices, including 30(b)(6) notices, for depositions related directly to the non-patent claims raised in Defendants' summary judgment motions, and depositions shall be concluded by April 11, 2013;
- May 1, 2013: Plaintiff shall serve and file its response to Defendants' motions for summary judgment; and

May 15, 2013: Defendants shall serve and file their reply papers in connection with their motion for summary judgment.

The Court will hear oral argument on the motions during Summer 2013, and if trials prove necessary, the parties are hereby advised to clear time for jury trials commencing on November 4, 2013 and January 13, 2014.

IT IS FURTHER ORDERED THAT Defendants' motions for summary judgment are denied with leave to re-file on April 11, 2013, at the close of the discovery contemplated in this Order. At that time, each Defendant need only file a renewed notice of motion that incorporates the memoranda, declarations, and Rule 56.1 Statements previously filed with the Court.

IT IS FURTHER ORDERED THAT the parties shall submit a joint case management plan regarding the claims involving the '830 and '523 Patents on or before February 5, 2013.

SO ORDERED.

DATED: January 30, 2013
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE